

TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Curt Hirsch, Mansfield Zoning Agent
From: Gregory Padick, Director of Planning
Date: February 9, 2011
Re: Zoning Permit Applicant, Storrs Center Phases 1A and 1B

Pursuant to the provisions of Article X, Section S of the Zoning Regulations, I have completed my review of the 1/13/11 Zoning Permit application of Storrs Center Alliance LLC and Education Realty Trust, Inc. and have determined that, subject to the attached conditions of approval, the Zoning Permit is in compliance with all applicable Zoning requirements. Accordingly, you are authorized to issue a Zoning Permit for the subject Storrs Center Phases 1A and 1B subject to incorporation of those conditions which do not involve immediate map revisions.

In the process of making this compliance determination, I note the following findings:

- The applicant's submission includes a thirty-eight (38) page set of site and architectural plans with an issue date of 1/13/11, as prepared by BL Companies and a comprehensive application packet dated 1/13/11 which contains a Statement of Use; Table of Land Uses; documentation of public water and sewer service; statements of consistency with the PZC approved Preliminary Master Plan, Master Parking Study, Master Traffic Study, Master Stormwater Drainage Study, the Storrs Center Design Guidelines; and a Design Review Checklist and signed Design Certification. This information appropriately meets the submission requirements of Article X, Section S.5.c.
- Pursuant to the provisions of Article X, Section S.6.b.(ii), the Mansfield Downtown Partnership has conducted a public hearing and provided an appropriate opportunity for the submittal of public comment. On 2/8/11, the Mansfield Downtown Partnership determined that the Zoning Permit application for Phases 1A and 1B complies with the requirements of the Storrs Center Special Design District regulations and the Storrs Center Design Guidelines. This action was taken after consideration of public comments and a report from its Planning and Design Committee. The Director of Planning attended the Downtown Partnership Public Hearing.
- On 1/19/11, the Inland Wetland Agency determined that the plans for Phases 1A and 1B were consistent with its 10/1/07 License approval for the Storrs Center Project.
- On 1/19/11, the Planning and Zoning Commission conditionally approved a Special Permit modification application for all proposed construction in the Planned Business-2 zone that remains under the Commissions approval authority.
- For over three months various Mansfield staff members have met with applicant representatives to help ensure compliance with all applicable regulatory requirements. Written staff reports have been received from R. Miller, Director of Health; V. Walton, Recycling Coordinator; L. Hultgren, Director of Public Works; K. Grunwald, Director of Human Services and J. Jackman, Deputy Chief/Fire Marshal. Verbal feedback also has been received from G. Meitzler, Assistant Town Engineer/Inland Wetlands Agent. Written comments also have been received from R. Favretti, PZC Chairman and resident D. Morse. Subject to conditions included in this Zoning Permit approval authorization, all identified zoning issues will be addressed.
- All approval criteria contained or referenced in Article X, Section S.6.d, including Article V, Section A.5 and Article XI, Section C.3. have been addressed or will be addressed by conditions included in this Zoning Permit authorization.

Article X, Section S.6.e. authorizes the Director of Planning to add conditions deemed necessary to ensure compliance with all applicable regulatory requirements. The following conditions, except for those that require immediate map revisions, shall be incorporated into the Zoning Permit approval for Phases 1A and 1B:

1. Pursuant to Article X, Section S.6.g of the Zoning Regulations, any proposed revisions to the submitted plans and associated application narratives and/or the proposed uses hereby granted Zoning Permit approval shall be submitted to the Director of Planning for review and approval. It is recognized that plans for the parking garage/intermodal center, Village Street, Town Square, Storrs Road, Dog Lane and other site improvements are not yet finalized and accordingly, plan revisions are anticipated.
2. All conditions of approval cited in the Planning and Zoning Commission's 7/5/06 Special Permit approval, as modified on 1/19/11, shall be met. These conditions, which apply to the portion of the project within the PB-2 zone, include required map revisions, additional submission requirements and the posting of a \$5,000 site development bond. To address Zoning Permit provisions, this \$5,000 bond, with an associated bond agreement to be approved by the Director of Planning, shall cover all site work in Phases 1A and 1B.
3. All conditions of approval cited in the 10/1/07 Inland Wetland Agency license approval, as revised on 1/19/11, shall be met. This includes a requirement that open space areas be deeded to the Town and monumented prior to the issuance of occupancy permits.
4. Based on the Planning and Zoning Commission required notations on the Preliminary Master Plan mapping, Storrs Road and Dog Lane improvements shall be constructed in association with Phase 1A and the Village Street improvements, including a public access connection to the Storrs Post Office Road, shall be constructed in association with Phase 1B. Whereas these roadway/streetscape improvements, as well as the parking garage/intermodal center, are now Town projects, this Zoning Permit approval does not specifically tie completion of these Town projects to the initial issuance of occupancy permits. However, no occupancy permits in either Phase 1A or 1B shall be issued until it is demonstrated (to the satisfaction of the Director of Planning) that safe and appropriate vehicular and pedestrian access has been provided.
5. No construction shall start in Phase 1A until it is confirmed (to the satisfaction of the Director of Planning) that the Phase 1A and 1B improvements are acceptable to all federal and state agencies who have granted permit approval for the entire Storrs Center project. No Building Permit can be issued until a State Traffic Commission Certificate is issued.
6. With the exception of demolition work, no construction shall start in Phases 1A or 1B until title to identified properties to be acquired in each phase are conveyed to the applicant and merged in a manner that eliminates the need for subdivision approval.
7. No construction shall start in Phase 1A until the proposed ground lease with from the University of Connecticut for the Bishop Center surface parking lot is executed and a notice of lease is filed on the Land Records. To provide long term use rights, it is understood that the subject ground lease shall be for a term of ninety-eight (98) years, including renewal options. Any reduction in this term must be approved by the Director of Planning.
8. To supplement applicant submissions regarding construction traffic, no construction shall begin until a more specific construction traffic management plan is developed in association with the Town of Mansfield, who is responsible for Storrs Road, Dog Lane, the Village Street and the parking garage/intermodal center projects, and with the University of Connecticut who will be upgrading sewer lines in the project area. The coordinated construction traffic management plan shall be approved by the Mansfield Traffic Authority.

9. The proposed Common Interest Ownership arrangement is acceptable for Phases 1A and 1B subject to compliance with all applicable State requirements and incorporation of commitments made in the Zoning Permit application. A copy of the executed Common Interest Ownership documents shall be Filed in the Mansfield Planning Office.
10. Unless alternative parking arrangements are approved by the Director of Planning, no occupancy permits shall be issued for Phase 1A buildings until the parking garage and associated access improvements are approved, constructed and operational. As an exception to this condition, the relocation of the Storrs Automotive use and other commercial uses existing in buildings that will be demolished, may be issued occupancy permits provided approved surface parking is available in the Bishop Center lot and safe vehicular and pedestrian access is provided to the subject relocated uses.
11. Prior to the construction of the "Temp Road" in Phase 1A, specific plans for addressing parking, loading, vehicular and pedestrian traffic and landscaping for the areas adjacent to the Marketplace retail building and the "Temp Road" shall be submitted to and approved by the Director of Planning.
12. Prior to beginning any demolition work, specific plans for protecting the existing tree "to be saved" adjacent to Storrs Road shall be submitted to the Director of Planning, approved and implemented.
13. As noted on Sheets SP-1A/1B, prior to the issuance of occupancy permits for building TS-2 in Phase 1B, design plans for the Town Square and site restoration/site enhancement plans for the Phase 1C area now occupied by the Marketplace retail building shall be submitted to the Director of Planning, approved and implemented.
14. In order to confirm the adequacy of parking for the final mix of commercial uses in building TS-2, no occupancy permits for commercial spaces in Phase 1B shall be issued until a more specific breakdown of commercial uses is provided for this building. The Director of Planning needs to confirm that adequate parking will be provided in accordance with the approved Master Parking Study.
15. All designs for commercial storefront areas, including signage, awnings, outdoor seating and other features to enhance the streetscape, shall be submitted for approval by the Director of Planning. Planning and Zoning Commission approval is required for the DL-1 building situated within the PB-2 zone. Individual commercial spaces may also need approval from the Eastern Highlands Health District.
16. Pursuant to Article XI Sections 4.d, no new foundation walls shall be constructed until certification from a licensed land surveyor is received by the Zoning Agent confirming that foundation footings are in approved locations.
17. Due to ongoing design work on the Village Street, Town Square and associated improvements, street lighting, street trees, bus shelters, benches, trash receptacles, directional signage and other streetscape improvements shall require subsequent review and approval by the Director of Planning. It is anticipated that final approvals of these elements of the Storrs Center Project can be issued in the spring of 2011. 2/7/11 comments received from R. Favretti shall be considered in reviewing proposed landscaping improvements and more attention shall be given to avoiding monocultures in the street tree design.
18. Unless specifically authorized by the Director of Planning, all new utility lines shall be installed underground.
19. All material that will be removed from the project area in association with demolition activities shall be disposed of in an appropriate location that has been approved for such disposal. All site demolition contractors shall be advised of this requirement.

20. To address regulatory approval criteria, and applicant commitments, the following revisions noted below shall be incorporated onto the final site and architectural plans. All final plans shall be signed and sealed by the responsible professionals.
- A. Plan revisions identified in a 2/1/11 memorandum from A. Graves of B.L. Companies. These revisions were agreed upon after meeting with the Downtown Partnership Planning and Design Committee.
 - B. Revisions deemed necessary by the Mansfield Fire Marshal to address Section 4.10 of the Design Guidelines regarding fire protection measures and site safety issues.
 - C. Revisions to the design of the parking, loading driveway and waste disposal site improvements situated north of building DL-1/2 and east of building TS-1. The Planning and Zoning Commission has expressed concerns regarding vehicular and pedestrian safety in this area, the Mansfield Solid Waste Advisory Committee has raised concerns regarding access to the dumpster near building DL-1 and the Advisory Committee on the Needs of Persons with Disabilities has suggested providing accessible parking spaces closer to building entrances. Additionally, consideration should be given to specifically identifying all reserved spaces. A final design for this area shall be approved by the Director of Planning with assistance from other Mansfield Staff members.
 - D. Plan revisions required by the Planning and Zoning Commission in association with the Special Permit approval granted for work in the PB-2 zone.
 - E. The plans shall incorporate electrical outlets appropriate for community event use in the Town Square area and along other project roadways.
 - F. On Sheet LL-1, the tree to be saved at the corner of Storrs Road and Dog Lane needs to be identified for specific protection during construction activities.
 - G. On Sheet DN-1, the accessible parking space detail needs to be revised to depict cross-hatching on the right side as per Mansfield Zoning requirements.

Please let me know if you have any questions regarding this report and the listing of approval conditions. If additional information is received regarding the subject conditions or it is determined that wording revisions are necessary to clarify requirements, I will reconsider the conditions.

It also is noted that review comments have been received regarding residential floor plans and occupancy of the project apartments. It is my finding that the proposed residential units comply with the permitted use provisions of the Zoning Regulations. Furthermore, Education Realty Trust, Inc. has the right to modify floor plans, without additional zoning approval, as long as all applicable building and fire code requirements are met and as long as there is no change in permitted use classification. Floor plan revisions are anticipated, particularly in association with residential marketing efforts designed to serve the general public.

Cc: Storrs Center Alliance, LLC
Education Realty Trust, Inc.
Mansfield Downtown Partnership Inc.
Mansfield Planning and Zoning Commission
Mansfield Town Council
Barry Feldman, UConn Vice President and Chief Operating Officer